

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
JONATHAN KUDLA  
OPPENHEIMER WOLFF & DONNELLY, LLP  
P.O. BOX 10356  
PALO ALTO, CALIFORNIA 94303

## PCT

WRITTEN OPINION

(PCT Rule 66)

Date of Mailing  
(day/month/year) **04 APR 2003**

REPLY DUE

within 1 months/days from  
the above date of mailing

Applicant's or agent's file reference

60021-352430

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US01/40213

28 FEBRUARY 2001 (28.02.2001)

08 MARCH 2000 (08.03.2000)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): G06F 17/60 and US Cl.: 705/14

Applicant

ACCURE LLP

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
  - I ☐ Basis of the opinion
  - II ☐ Priority
  - III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☐ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.
 

**When?** See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 *bis*.  
For an informal communication with the examiner, see Rule 66.6

**If no reply is filed**, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 28 June 2003 (28.06.2003).

Name and mailing address of the IPEA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231  
Facsimile No. (703)305-3230

Authorized officer

ERIC W STAMBER

Telephone No. 703-308-1113

*Diane Smith*

# WRITTEN OPINION

International application No.

PCT/US01/40213

## III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The question whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☐ claims Nos. \_\_\_\_

because:

☐ the said international application, or the said claim Nos. \_\_\_\_ relate to the following subject matter which does not require international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_ are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. \_\_\_\_ are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 1-36.

2. A written opinion cannot be drawn due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

WRITTEN OPINION

International application No.  
PCT/US01/40213

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

**TIME LIMIT:**

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.